

Attorney Docket No. 20556-74748
Application No. 10/798,690 (Filed March 11, 2004)
Reply to Office Action dated August 10, 2005

REMARKS

Claims 1-19 remain in this application. Claims 1, 9 and 17 have been amended.

Reconsideration of the rejection of claims 1-19 under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 2,845,299 to Pickering ("Pickering") is requested. (It seems that the Examiner has erroneously referred to U.S. Pat. No. 2,845,299 to Pickering as U.S. Pat. No. 6,789,834 to Schlegel.) It is believed that amended independent claims 1, 9 and 17, and dependent claims 2-8, 10-16, 18 and 19, are not anticipated by Pickering for the reasons given below.

Claim 1 is directed to "an activating mechanism" for use with "a four-link hinge ... comprising pivoting links connected between the upper and lower brackets, wherein each pivoting link has a first end pivotally connected to the upper link bracket and a second end pivotally connected to the lower link bracket." The Examiner has contended that Pickering discloses "pivoting links (46, 132, 80) connected between the upper and lower brackets." However, contrary to the Examiner's contention, numeral 46 does not refer to a "pivoting link." Instead, numeral 46 refers to "a forwardly and downwardly extending arm" of the upper bracket 44. (See col. 2, lines 33 et seq.) Also, neither pivoting link 132, nor pivoting link 80, has "a first end pivotally connected to the upper link bracket and a second end pivotally connected to the lower link bracket." Instead, pivoting link 132 has one end pivotally coupled by a pin 48 to the upper link bracket 44 (see col. 3, lines 6 et seq.) and the other end pivotally coupled by a pin 134 to the pivoting link 80 (see col. 3, lines 6 et seq.), not to the lower link bracket 70, 72 as claimed. Pivoting link 80, on the other hand, has one end pivotally coupled by a pin 74 to the lower link bracket 70, 72 (see col. 2, lines 53 et seq.) and the other end pivotally coupled by a pin 134 to the pivoting link 132 (see col. 3, lines 6 et seq.), not to the upper link bracket 44 as claimed.

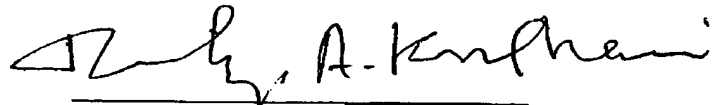
Regarding claim 9, Pickering does not disclose or suggest "a pair of pivoting links" in combination with "each pivoting link having a first end pivotally connected to the upper link bracket and a second end pivotally connected to the lower link bracket." Regarding claim 17, Pickering does not disclose or suggest "at least one pivoting link having a first end pivotally connected to the upper link bracket and a second end pivotally connected to the lower link bracket" as indicated above. As indicated above, neither pivoting link 132, nor pivoting link 80, has "a first end pivotally connected to the upper link bracket and a second end pivotally connected to the lower link bracket."

Accordingly, at least for the foregoing reasons, applicants respectfully submit that amended independent claims 1, 9 and 17, and dependent claims 2-8, 10-16, 18 and 19, are not anticipated by Pickering, and hence withdrawal of the 35 U.S.C. 102(e) rejection thereof is respectfully requested.

In view of the foregoing amendment and supporting remarks, the subject application is now deemed to be in condition for allowance, and such action is respectfully requested. If the Examiner believes that a telephonic interview would expedite the allowance of this application, he is requested to contact the undersigned for a prompt resolution of any outstanding issues.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response, and shortages and other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435, with reference to file 20556-74748. A duplicate copy of this authorization is enclosed.

Respectfully submitted,
BARNES & THORNBURG



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